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Federal Defender
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6 Attorneys for Defendant
Mr. Miller
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) Case No. 2:21cr77-WBS
11)
Plaintiff,) **STIPULATION AND ORDER TO CONTINUE**
12) **STATUS CONFERENCE AND EXCLUDE TIME**
vs.)
13) Date: June 1, 2021
JAMES DEAN MILLER,) Time: 9:00 a.m.
14) Judge: Hon. William B. Shubb
Defendant.)
15 _____)

16 IT IS HEREBY STIPULATED and agreed by and between Acting United States
17 Attorney Phillip A. Talbert, through Assistant United States Attorney Mira Chernick, counsel for
18 Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hootan
19 Baigmohammadi, counsel for Defendant James Dean Miller, that the status hearing currently set
20 for June 1, 2021 at 9:00 be continued to August 9, 2021 at 9:00 a.m.

21 The parties specifically stipulate as follows:

- 22 1. By previous order, this matter was set for a status on June 1, 2021 at 9:00 a.m.
23 2. By stipulation, Mr. Miller now moves to continue the status conference to August
24 9, 2021 at 9:00 a.m.
25 3. The government and defense counsel have recently agreed upon a protective order
26 as it relates to discovery, and the government has represented that it will provide
27 discovery to the defense promptly.
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- 1 4. The defense requires additional time to review the discovery, investigate and
2 research possible defenses, research potential pretrial motions, consult with Mr.
3 Miller, explore potential resolutions to the case, and otherwise prepare for trial.
4 5. Defense counsel believes that failure to grant the requested continuance would
5 deny him the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.
7 6. The government does not object to the continuance.
8 7. Therefore, the parties stipulate that the ends of justice served by granting the
9 continuance outweighs the best interest of the public and Mr. Miller in a speedy
10 trial, and request the Court so to find.
11 8. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial
12 Act), the parties request that the time period between June 1, 2021 and August 9,
13 2021, inclusive, be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv)
14 (Local Code T4), because it would result from a continuance granted by the Court
15 at the defense's request, based on a finding that the ends of justice served by
16 granting the continuance outweighs the best interest of the public and Mr. Miller
17 in a speedy trial.

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Date: May 25, 2021

Date: May 25, 2021

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Defendant
Mr. Miller

PHILLIP A. TALBERT
United States Attorney

/s/ Mira Chernick
MIRA CHERNICK
Assistant United States Attorney
Attorneys for Plaintiff

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IT IS SO ORDERED.

Dated: May 26, 2021

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